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PTO/SB/17 (10-03)

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$)**1,390.00****Complete if Known**

Application Number	09/875,823
Filing Date	June 5, 2001
First Named Inventor	HISERODT, JOHN C.
Examiner Name	YAEN, CHRISTOPHER H.
Art Unit	1642
Attorney Docket No.	IRVN-001DIV2

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money ☐ Other ☐ None  
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Deposit Account Name	Bozicevic, Field & Francis LLP

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to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

**SUBTOTAL (1)****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	x	=
Indep. Claims	-3** =	x	=
Multiple Dependent			=

Large Entity Fee Code	Small Entity Fee Code	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

  
**SUBTOTAL (2) \$**

\*\*or number previously paid, if greater; For Reissues, see above.

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1051 130		2051 65		Surcharge - late filing fee or oath
1052 50		2052 25		Surcharge - late provisional filing fee or cover sheet
1053 130		1053 130		Non-English specification
1812 2,520		1812 2,520		For filing a request for <i>ex parte</i> reexamination
1804 920*		1804 920*		Requesting publication of SIR prior to Examination action
1805 1,840		1805 1,840*		Requesting publication of SIR after Examiner action
1251 110		2251 55		Extension for reply within first month
1252 420		2252 210		Extension for reply within second month
1253 950		2253 475		Extension for reply within third month
1254 1,480		2254 740		Extension for reply within fourth month
1255 2,010		2255 1,005		Extension for reply within fifth month
1401 330		2401 165		Notice of Appeal
1402 330		2402 165		Filing a brief in support of an appeal
1403 290		2403 145		Request for oral hearing
1451 1,510		1451 1,510		Petition to institute a public use proceeding
1452 110		2452 55		Petition to revive - unavoidable
1453 1,330		2453 665		Petition to revive - unintentional
1501 1,330		2501 665		Utility issue fee (or reissue)
1502 480		2502 240		Design issue fee
1503 640		2503 320		Plant issue fee
1406 130		1460 130		Petitions to the Commissioner
1807 50		1807 50		Processing fee under 37 CFR 1.17(q)
1808 180		1806 180		Submission of Information Disclosure Stmt
8021 40		8021 40		Recording each patent assignment per property (times number of properties)
1809 770		2809 385		Filing a submission after final rejection (37 CFR § 1.129(a))
1810 770		2810 385		For each additional invention to be examined (37 CFR § 1.129(b))
1801 770		2801 385		Request for Continued Examination (RCE)
1802 900		1802 900		Request for expedited examination of a design application

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)****1,390.00****SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Carol L. Francis	Registration No. (Attorney/Agent)	36,513	Telephone	(650) 833-7713
Signature		Date	06/02/2004		

**WARNING:** Information on this form may become public. Credit card information should not be  
included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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Atty Dkt. No.: IRVN-001DIV2  
USSN: 09/875,823

**EXPRESS MAIL NO. EV 333997335 US**

<b>PRELIMINARY AMENDMENT</b>  Address to: Box RCE Commissioner for Patents & Trademarks P.O. Box 1450 Arlington, VA 22313-1450	Attorney Docket Confirmation No.	IRVN-001DIV2 8672
	First Named Inventor	John C. Hiserodt
	Application Number	09/875,823
	Filing Date	June 5, 2001
	Group Art Unit	1642
	Examiner Name	Christopher H. Yaen
	Title	"Cancer Immunotherapy Using Autologous Tumor Cells Combined With Cells Expressing a Membrane Cytokine"

Dear Sir:

This Preliminary Amendment is filed with a Request for Continued Examination (RCE). Applicants timely filed a Notice of Appeal on November 3, 2003, setting the date for filing an Appeal Brief to January 3, 2004. This amendment is accompanied by a Petition for a Five Month extension of time, making the RCE and Preliminary Amendment timely filed on or before June 3, 2004.

Entry of the amendments below prior to consideration of the application on its merits is respectfully requested.

**Conclusion**

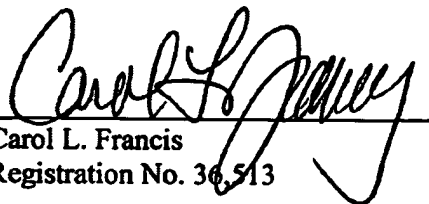
Applicants respectfully request that all outstanding rejections be reconsidered and withdrawn.

Applicant submits that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number IRVN-001DIV2.

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

Date: June 2, 2004

By:   
Carol L. Francis  
Registration No. 36,513

BOZICEVIC, FIELD & FRANCIS LLP  
200 Middlefield Road, Suite 200  
Menlo Park, CA 94025  
Telephone: (650) 327-3400  
Facsimile: (650) 327-3231